

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 9<sup>th</sup> DAY OF JANUARY 2006, AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Gary D. Creed	-Chair
	Steve L. Spradlin	-Vice Chair
	Mary W. Biggs	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Robert C. Parker	-Public Information Officer
	Marc Magruder	-Budget Manager
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711      (5)      Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business= or industry=s interest in locating or expanding its facilities in the community.

1. Project # 2006-001

- (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Falling Branch Industrial Park

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	

**OUT OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	

## **CERTIFICATION OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

### **VOTE**

#### **AYES**

Steve L. Spradlin  
Annette S. Perkins  
James D. Politis  
John A. Muffo  
Mary W. Biggs  
Doug Marrs  
Gary D. Creed

#### **NAYS**

None

#### **ABSENT DURING VOTE**

None

#### **ABSENT DURING MEETING**

None

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **ELECTION OF CHAIR**

### **R-FY-06-85 ELECTION OF CHAIR**

On a motion by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That **Steve L. Spradlin** be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2006 or until a successor is elected.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Annette S. Perkins	
James D. Politis	
Doug Marrs	
Mary W. Biggs	
Steve L. Spradlin	
Gary D. Creed	

## **ELECTION OF VICE-CHAIR**

### **R-FY-86 ELECTION OF VICE CHAIR**

On a motion by Doug Marrs and carried unanimously,

BE IT RESOLVED, That **Mary W. Biggs** be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2006 or until a successor is elected.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
James D. Politis	
John A. Muffo	
Doug Marrs	
Mary W. Biggs	
Steve L. Spradlin	
Gary D. Creed	

Supervisor Biggs commended Supervisor Creed for serving as Chair for the 2005 Calendar Year. She is looking forward to working with Chair Spradlin in 2006.

Supervisor Spradlin thanked the Board members for their vote of confidence in electing him Chair. He also praised Supervisor Creed for serving as Chair in 2005.

## **ORGANIZATIONAL MATTERS**

### **R-FY-06-87 SELECTION OF REGULAR MEETING DATE**

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2006 shall be the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month beginning at 6:00 p.m. , if closed session is required, otherwise the meetings shall begin at 7:15 p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Annette S. Perkins	
Doug Marrs	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	
Steve L. Spradlin	

## **Rules of Order and Parliamentary Procedures**

Supervisor Marrs expressed concern with Rule # 21 which states appointments of individual members of the Board of Supervisors for yearly appointments shall be made at the beginning of the year. He recommended that the appointment to the the Western Virginia Regional Jail Authority be made prior to December 31<sup>st</sup>. According to WVRJA bylaws, membership expires on December 31<sup>st</sup> each year. If the WVRJA has their January meeting before the Board of

Supervisors has their first meeting, Montgomery County representatives on the WVRJA will not be allowed to vote on WVRJA matters at it's January meeting.

The County Attorney suggested Rule #21 be amended to address Supervisor Marrs' concerns to state that the appointment needs to be made by the Board prior to January 1 of the effective year in which case the appointment will be made prior to the end of the year to be effective January 1, of the following year.

**R-FY-06-88**  
**RULES OF ORDER AND**  
**PARLIAMENTARY PROCEDURES**

On a motion by Mary W. Biggs, seconded by James D. Polities and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2006 as follows:

- Rule 1**      The current edition of *Roberts Rules of Order* shall govern in the deliberations of the Board of Supervisors, except as otherwise provided by ordinance or these rules.
- Rule 2**      The Board may *temporarily suspend* any of its rules by a vote of two-thirds of the members present.
- Rule 3**      No ordinance or resolution *appropriating money exceeding the sum of \$500*, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the Board.
- Rule 4**      A subject(s) may be *added to the Agenda* following the Delegation portion of the meeting.
- Rule 5**      *Discussion of Agenda items* will occur only after a motion is made.
- Rule 6**      In any case in which there shall be a *tie vote* of the Board upon any question when all of the members are not present, that question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there shall be a tie vote upon any question after complying with this procedure, that tie vote shall defeat the motion, resolution or issue voted upon.
- Rule 7**      When any motion, resolution, or ordinance has been *once acted upon* by the Board it cannot be considered again at the same meeting except by a motion to reconsider. The motion to reconsider cannot be repeated on the same question unless the question was amended when previously reconsidered.

- Rule 8** A motion to ***reconsider*** a question which has been decided shall be made by a member who voted with the prevailing side and shall be made at the same meeting of the Board or the next succeeding meeting of the Board. All motions to reconsider shall be decided by a majority vote of the members present.
- Rule 9** When the Board wishes to ***annul some action it has previously taken***, a motion to rescind the objectionable resolution, order or other proceeding may be made. Any action of the Board may be rescinded regardless of the time that has elapsed. A motion to rescind is not in order if action has already been taken which cannot be undone.
- Rule 10** The County Administrator is hereby authorized to prepare for each meeting a ***consent agenda*** for consideration by the Board. This consent agenda may include any item believed by the County Administrator to be routine and not controversial in nature, for example, resolutions authorizing interdepartmental budget transfers, appropriations, various permits authorized by the Board, referrals to other boards and commissions for appropriate action.
- Rule 11** Any member of the Board may request to have any item ***removed from the consent agenda***. Such request need not be seconded. Such item shall then be considered immediately after the consent agenda.
- Rule 12** A single motion and roll call vote in favor thereof shall approve all items remaining on the ***consent agenda***.
- Rule 13** The County Administrator is hereby authorized to ***provide agendas*** for future Board meetings to those individuals, businesses, or organizations who desire to receive same.
- Rule 14** An individual, business or organization shall request the County Administrator on a calendar year basis to ***mail such agendas*** to them. At the end of each calendar year, the County Administrator shall notify all individuals, businesses, or organizations on the agenda list that agendas will no longer be mailed to them unless notification is received by the County Administrator that they desire to continue to receive agendas for the upcoming calendar year.
- Rule 15** The County Administrator shall ***mail agendas at the public expense*** until such time as the annual expense for such mailings exceeds \$500. Thereafter, the County Administrator shall bring such practice to the attention of the Board for its consideration.
- Rule 16** Individual speakers will be limited to **5 minutes** to address the Board during the **public address** and the **public hearing** portions of the meeting. Speakers may not grant or assign their remaining time to address the Board to another speaker.

- Rule 17** Staff and **Delegation** presentations will not exceed 20 minutes unless prior approval is obtained from the Administrator.
- Rule 18** **Non-Agenda items** may be included for discussion and action during Board Members' Reports segment of the meeting.
- Rule 19** Motions for **tabling** an item shall include conditions for removal from the table.
- Rule 20** Board meetings will **adjourn** no later than 11:30 p.m., unless a vote is taken to continue the meeting, with an affirmative vote of two-thirds (2/3) of those members present.
- Rule 21** Appointments of individual members of the Board of Supervisors for yearly **appointments** to various Boards, Commissions, Committees, etc., shall be made at the beginning of the year, at the same meeting at which elections of the Chair and Vice Chair occur (the first meeting of each calendar year), unless the appointment to a Board, Commission, or Committee needs to be made by the Board prior to January 1 of the effective year in which case the appointment will be made prior to the end of the year to be effective January 1, of the following year.
- Rule 22** On final vote on any ordinance or resolution, the name of each member voting and how he voted shall be recorded.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Doug Marrs	
John A. Muffo	
Mary W. Biggs	
John A. Muffo	
James D. Politis	
Gary D. Creed	
Steve L. Spradlin	



**R-FY-06-89  
CODE OF ETHICS AND  
STANDARD OF CONDUCT  
FOR 2006**

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

**CODE OF ETHICS**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Montgomery County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States, the Commonwealth of Virginia and Montgomery County, and never knowingly be a party to their evasion.
2. Be loyal to moral principles and the interests of the citizens of the county.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, gender, age, religion, creed or country of origin. Avoid adopting policies, supporting programs or engaging in Board activities that discriminate against or offend individuals because of race, gender, age, religion, creed or country of origin.
6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispersing of, or requesting, special favors or unfair privileges to anyone, whether for remuneration or not. A member should never request or accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties, or employees.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on public duty.
8. Engage in no business with the county government, either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the State and Local Government Conflict of Interest Act.

9. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
10. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions to deal with sensitive personnel, legal, contractual or other issues as provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board of Supervisors.
14. Review orally and in public session at the annual organizational meeting each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.
16. The Board recognizes that its primary role is to make policy and therefore will focus on issues pertaining to programs, operations and issues.
17. The Board recognizes that discussion of personnel matters are to remain confidential, must be discussed through appropriate channel processes, and that it is the obligation of each Board member to protect the privacy of the individual.
18. Board members will follow the procedure of communicating directly with the County Administrator and the Chairman of the Board. On personnel matters or matters relating to incidents, issues, or problems, the Board will follow the procedure of communicating directly with the Chairman or the County Administrator. Especially in situations where Board members might conceivably be construed as attempting to supervise, direct, or interfere with county personnel and the performance of their duties.

### **STANDARDS OF CONDUCT**

Recognizing that persons holding a position of public trust are under constant observation by the media and interested county residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Montgomery County Board of Supervisors should adhere to the following Standards of Conduct:

1. Avoid, during public meetings and during the performance of public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or personnel.
2. Pay all taxes due to the county, state, or national government.
3. Attend all regularly scheduled meetings of the boards or committees to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.
4. Avoid a private lifestyle that casts public doubt upon the integrity and competence of the county government.
5. Make a conscientious effort to be well prepared for each meeting.
6. Offer criticism of county employees only in private meetings with appropriate individuals or in closed session.
7. Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.
8. Maintain an attitude of courtesy and consideration toward all colleagues.
9. Be tolerant. Allow citizens, employees, or colleagues sufficient opportunity to present their views.
10. Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel or colleagues.
11. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

The vote on the foregoing resolution was as follows:

AYE

Doug Marrs

John A. Muffo

James D. Politis

Mary W. Biggs

Annette S. Perkins

Gary D. Creed

Steve L. Spradlin

NAY

None

## **PUBLIC HEARING**

### **Montgomery County Budget for FY 2006-2007**

The purpose of this public hearing is to gather citizen comments on the upcoming fiscal year budget.

Ann Carter, Chair, Montgomery-Floyd Regional Library Board, spoke about the Library budget request for FY 2006-2007. The Library's budget is adequate to meet the needs for the Library and not a wish list. Ms. Carter also announced that the Meadowbrook Public Library was scheduled to be open the week of January 23, 2006.

Alicia Spitzer spoke in support of teacher salaries. Ms. Spitzer reminded the Board that the School Board developed a 3-year target plan to increase teacher salaries, with this being the third year. They believe an equitable salary scale is needed and urged the Board to follow the salary plan.

Michael Hedgepeth suggested that the proceeds from the sale of the old Blacksburg Middle School be appropriated into the school capital fund and construction fund, not in the County's general fund. He believes officials will need to start planning to address the issue of overcrowding at the Blacksburg High School. According to data, in nine years the school should reach capacity. Mr. Hedgepeth also supports using sales proceeds for replacement windows in the schools and teacher salary increases.

Jason Shelton/Kimberly Shelton spoke in support of replacing the Montgomery County Animal Shelter. The current shelter is inadequate to meet the needs of care and shelter for the animals. Mr. Shelton believes there should be a strong effort to develop a plan to construct a new shelter.

Lewis Armstead urged the Board to give top priority to the School Board budget, which includes an increase in teacher salaries. Mr. Armstead stated he lives in Montgomery County but works in Salem due to the difference in teacher salaries.

Charlie Bowles suggested the Board of Supervisors hold a retreat in order to seek ways of saving money. Mr. Bowles expressed concerns with the number of on-going capital projects in the County, such as the courthouse renovations, at the expense of taxpayers. He also expressed concerns with the number of inadequate roads in the County that needs to be addressed.

There being no further speakers, the public hearing was closed.

## **PUBLIC ADDRESS**

John Neel requested that the Twin Creek Mobile Home Estate, Inc., rezoning request be added to the agenda for consideration. He believes the concerns regarding the issue of private streets has been addressed by the applicant, who submitted a proffer that the owner will always be responsible for the private parking lot and it will be stated on every deed. Mr. Neel stated that it is considered a parking lot with two commercial entrances and not a private road.

Charlie Bowles asked the Board to reconsider saving the old Long Shop/McCoy Fire/Rescue Station and not tear it down. He believes this building is valuable to the community, which can be used as a community building. Mr. Bowles urged to the Board to look into this issue.

There being no further speakers, the public address session was closed.

## **DELEGATION**

### Virginia Department of Transportation – Update Road Issues

David Clarke, VDOT Resident Engineer, updated the Board on road issues in Montgomery County. Mr. Clarke reported he forwarded to the County Administrator updated estimates on roads listed on the County's Rural Addition Priority List. This report included Hawley Road and Flick Drive.

Mr. Clarke also addressed Twin Creek Mobile Home Estate Inc. private street issue. He stated that the request does meet requirements for commercial entrances, but in his opinion this is not a private road but a parking lot.

Six Mile Loop Trail – Request to construct a portion on VDOT's Right-of-Way on the Smart Road. Mr. Clarke reported that the Commonwealth Transportation Board revised its policy on limited access roads. Requests have to be forwarded to the District Administrator, then the Chief of Engineers, and finally to the Commonwealth Transportation Board for approval. Mr. Clarke will continue to check the status of the request.

Revenue Sharing Projects – Mr. Clarke reported that VDOT is planning to work on the following roads if weather permits and rights-of-way have been obtained: Crab Creek Road, Brush Creek Road, Fishers View Road, and Mt. Zion Road. These projects should be completed by June 2006.

Craig Creek Road – Supervisor Perkins requested that VDOT check to see if the last three miles on Craig Creek Road could be paved and guardrails be installed along the road. Mr. Clarke explained that Craig Creek Road is Priority #10 on the Secondary Six Year Road Plan and believes part of the road could be done under rural rustic. He will also check to see what areas need guardrails. Supervisor Spradlin asked if the National Forest could contribute to the upgrade of this road since it leads into the National Forest. Mr. Clarke will check with the National Forest Service.

US 460 – Hales Trailer Park - Supervisor Biggs asked if a crossover could be constructed on US 460 at the entrance of Hales Trailer Park. Currently, residents have to turn right on 460 West and then make a U-Turn to get on 460 East towards Blacksburg.

Supervisor Spradlin requested VDOT look into paving Mash Run Road and drainage issues on Whitaker Hollow Road. He also asked for an update on the “no left turn” on Tucker Road off McCoy Road. Mr. Clarke reported signs have been ordered and they are in the process of placing a notice in the papers within the next two weeks.

### **Nannie B. Hairston Bronze Sculpture**

Alvin Humes with the Nannie B. Hairston Sculpture Committee asked the Board of Supervisors to consider the Montgomery County Government Center as the permanent location for the Nannie B. Hairston Bronze Sculpture. Mr. Humes recognized the members of the Nannie B. Hairston Sculpture Committee who undertook the task of raising the money for the bronze sculpture. The committee members are Larry Betchel, Alvin Humes, Ann Grover, and Collette Hairston Hash.

Ann Greenwood, Virginia Tech graduate student, worked to compile a history of Nannie B. Hairston’s activities and accomplishments. Mrs. Hairston has worked with numerous organizations such as Christiansburg Community Center, Human Relations Council, Montgomery-Floyd-Radford City NAACP. The NAACP voted Mrs. Hairston one of the twelve most influential African-American women in Virginia. Mrs. Hairston’s involvement in creating a place for African-American women has resulted in interracial, cooperative efforts that have positively affected both men and women.

Larry Bechtel, Sculptor, described Mrs. Hairston’s activities and accomplishments and explained why he was motivated to create a sculptor of Mrs. Hairston.

### **REMOVE FROM THE AGENDA**

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously, the scheduled work session on Bereavement Leave for Part-Time Employees was hereby removed from the agenda until additional information is received.

The vote on the foregoing motion was as follows:

#### **AYE**

John A. Muffo  
James D. Politis  
Annette S. Perkins  
Mary W. Biggs  
Doug Marrs  
Gary D. Creed  
Steve L. Spradlin

#### **NAY**

None

## **CONSENT AGENDA**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously, the Consent Agenda dated January 9, 2006 was approved.

The vote on the foregoing motion was as follows:

### **AYE**

John A. Muffo  
Mary W. Biggs  
James D. Politis  
Annette S. Perkins  
Doug Marrs  
Gary D. Creed  
Steve L. Spradlin

### **NAY**

None

## **R-FY-06-90 SCHEDULE PUBLIC HEARING PROPOSED ORDINANCE CHANGING THE F-2 PRECINCT POLLING PLACE FROM KIPPS ELEMENTARY SCHOOL TO BLACKSBURG MIDDLE SCHOOL**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby schedules a public hearing on Monday February 13, 2006, at 7:15 pm or as soon thereafter, at the Montgomery County Government Center, 2<sup>nd</sup> Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, in order to receive comments on the proposed Ordinance changing the F-2 Precinct polling place from Kipps Elementary School located at 2801 Prices Fork Road in the Town of Blacksburg, County of Montgomery, Virginia, to the Blacksburg Middle School located at 3109 Prices Fork Road in the Town of Blacksburg, County of Montgomery, Virginia.

## **A-FY-06-63 CIRCUIT COURT APPROPRIATION OF STATE FUNDING FOR JURIES**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

210 Circuit Court - Juries \$2,760

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$2,760

Said resolution appropriates the state's portion of jury payments for criminal cases.

**A-FY-06-64**  
**RECONCILIATION OF STATE**  
**COMPENSATION BOARD BUDGETS**  
**CONSTITUTIONAL OFFICERS**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

310	Sheriff	\$158,887
160	Treasurer's Office	6,535
200	Commonwealth's Attorney	1,319
250	Clerk of Circuit Court	<u>\$ 8,322</u>
	Total	\$175,063

The sources of the funds for the foregoing are as follows:

<u>Revenue Account</u>		
423100	Shared Expense	\$171,142
415203	Fund Balance	<u>\$ 3,921</u>
	Total	\$175,063

Said resolution adjusts the Constitutional Officers' budgets to reconcile with the State Compensation Board approved amounts.

**A-FY-06-65**  
**SHERIFF**  
**RECOVERED COSTS**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:



320 Sheriff – County \$11,663

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108 Recovered Costs \$11,663

Said resolution appropriates recovered costs from Deputies working overtime.

**A-FY-06-66  
LAND PURCHASE**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

451209 Transfer to Capital Projects \$285,000

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203 Designated Fund Balance \$285,000

BE IT FURTHER RESOLVED, That the Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

400 General Services \$285,000

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451100 Transfer from General Fund \$285,000

Said resolution appropriates General Fund balance to be transferred to the County Capital Projects Fund for the purchase of the former CJ&S property and demolition of structures on the property.

**R-FY-06-91**  
**MONTGOMERY COUNTY CHAMBER**  
**OF COMMERCE LIAISON**

On a motion by Doug Marrs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **B. Clayton Goodman, III** as Montgomery County's liaison to the Montgomery County Chamber of Commerce effective January 1, 2006 and expiring December 31, 2006.

**NEW BUSINESS**

**R-FY-06-92**  
**BOARD OF SUPERVISORS**  
**APPOINTMENTS TO BOARDS, COMMISSIONS**  
**AND COMMITTEES FOR 2006**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following Supervisors are appointed as representative to the indicated boards, commissions and committees, effective January 1, 2006 and expiring December 31, 2006:

<b><u>Board/Commission</u></b>	<b><u>Supervisor</u></b>
AFD Advisory Board	<u>James D. Politis</u>
County/School Liaison Committee	<u>B. Clayton Goodman, III</u> (County Administrator) <u>Steve L. Spradlin</u> (Chair)
Economic Development Alliance (NRV)	<u>B. Clayton Goodman, III</u> (County Administrator) <u>Steve L. Spradlin</u> (Chair)
Economic Development Commission (Montgomery Regional)	<u>Annette S. Perkins</u>
Fairview District Home Board	<u>Doug Marrs</u>
Fairview Home, Inc. Board of Directors	<u>B. Clayton Goodman, III</u> (County Administrator)
Finance Board	<u>Steve L. Spradlin</u> (Chair) <u>B. Clayton Goodman, III</u> (County Administrator)
Legislative Liaison	<u>Mary W. Biggs</u>

Library Board Liaison	<u>Mary W. Biggs</u>
Meadowbrook Public Library Committee	<u>Gary D. Creed</u>
Metropolitan Planning Organization (MPO)	<u>Doug Marrs</u> (Board Member) <u>John A. Muffo</u> (Alternate) <u>B. Clayton Goodman, III</u> (County Administrator)
Montgomery County Improvement Council (MCIC)	<u>John A. Muffo</u>
Parks & Recreation Commission Liaison	<u>Steve L. Spradlin</u>
Planning Commission Liaison	<u>John A. Muffo</u> <u>Mary W. Biggs</u> (Alternate)
Real Estate Committee (2)	<u>James D. Politis</u> <u>Gary D. Creed</u>
Resource Conservation & Development District (RC&D)	<u>Steve L. Spradlin</u> <u>John A. Muffo</u> (Alternate)
Roads Committee (2)	<u>James D. Politis</u> <u>Doug Marrs</u>
Road Viewers Board	<u>All Board Members</u>
School Board Liaison	<u>Mary W. Biggs</u> <u>Annette S. Perkins</u> (Alternate)
Transportation Safety Commission	<u>Gary D. Creed</u>
Utilities Committee	<u>B. Clayton Goodman, III</u> (County Administrator) <u>Steve L. Spradlin</u> (Chair)
Workforce Investment Act	<u>Annette S. Perkins</u>

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs  
James D. Politis  
Annette S. Perkins  
Doug Marrs  
John A. Muffo  
Gary D. Creed  
Steve L. Spradlin

NAY

None

**R-FY-06-93  
PUBLIC SERVICE AUTHORITY  
APPOINTMENTS**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that **Annette S. Perkins, Gary D. Creed, and James D. Politis** are hereby reappointed to the Public Service Authority effective January 1, 2006 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office, shall constitute a voluntary resignation from any board/commission/authority appointment as representative of Montgomery County.

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed  
James D. Politis  
Annette S. Perkins  
John A. Muffo  
Doug Marrs  
Mary W. Biggs  
Steve L. Spradlin

NAY

None

**R-FY-06-94**  
**WESTERN VIRGINIA REGIONAL**  
**JAIL AUTHORITY**  
**APPOINTMENTS**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints the following to the Western Virginia Regional Jail Authority effective January 1, 2006 and expiring December 31, 2006:

Sheriff Tommy Whitt	B. Clayton Goodman, III
Captain Robert L. Hall (alternate)	L. Carol Edmonds (alternate)
Doug Marrs, Board of Supervisors	

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

BE IT FURTHER RESOLVED, That all future annual appointments to the Western Regional Jail Authority shall be by the Board prior to January 1 of the effective year.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
Doug Marrs	
Mary W. Biggs	
James D. Politis	
Gary D. Creed	
Steve L. Spradlin	

**INTO WORK SESSION**

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Peace Sculpture

The vote on the foregoing motion was as follows:

AYE

John A. Muffo

Doug Marrs

Mary W. Biggs

James D. Politis

Annette S. Perkins

Gary D. Creed

Steve L. Spradlin

NAY

None

**Peace Sculpture**

The County Administrator reported that the following wording is a draft for the plaque to be placed with the Peace Sculpture:

*“ This sculpture is made of steel from the World Trade Center in New York after the attack of September 11, 2001. It has been erected by the Rotary Club of Montgomery County and the government of Montgomery County as a symbol of the need for world peace and understanding and in remembrance of the many of all nations who have sacrificed their lives.*

*Erected \_\_\_\_\_ 2006”*

The County Administrator requested guidance on how to proceed with the request to place the Peace Sculpture at the front entrance of the Montgomery County Government Center.

The Board requested this matter be placed on the next agenda for consideration.

**OUT OF WORK SESSION**

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

Doug Marrs

Mary W. Biggs

James D. Politis

Annette S. Perkins

John A. Muffo

Gary D. Creed

Steve L. Spradlin

NAY

None

## **BOARD MEMBERS' REPORTS**

**Supervisor Biggs** - Bereavement Policy for Part-time Employees Supervisor Biggs noted that she is in favor of approving 2.5 days of bereavement leave for part-time employees. She also believes under extreme situations the County needs to work with the employees.

### **Supervisor Politis**

#### **Add to the Agenda - Twin Creek Mobile Home Estate, Inc. Rezoning**

Supervisor Politis made a motion, seconded by Supervisor Marrs to add Twin Creek Mobile Home Estate, Inc. request for rezoning to the agenda.

During discussion, several Board members still expressed concerns with the issue of the private road in the development. They asked that VDOT provide in writing their opinion as to whether the road is defined as a private road or a private parking area; and, if the Board approves this request, how will it effect the County's Rural Addition eligibility status.

On a substitute motion by James D. Politis, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby respectfully requests the Virginia Department of Transportation to provide clarification on the private road issue regarding the Twin Creek Mobile Home Estate, Inc. rezoning.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
Doug Marrs	
Gary D. Creed	
Mary W. Biggs	
James D. Politis	
Steve L. Spradlin	

### **Board Members' Reports ( cont'd)**

**Supervisor Muffo** Peace Sculpture Supervisor Muffo reported that he will be meeting with a WDBJ Channel 7 reporter to discuss the Peace Sculpture.

**Supervisor Marrs** Bereavement Policy for Part-time Employees Supervisor Marrs agreed with Supervisor Biggs' comments on the bereavement leave. He knows there are policies and procedures in place for all employees regarding leave and that the county does work with employees under extreme circumstances and hopes the county will continue to do so.

## **ADJOURNMENT**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, January 23, 2006 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	
Steve L. Spradlin	

The meeting adjourned at 9:10 p.m.

APPROVED: _____	ATTEST: _____
Steve L. Spradlin	B. Clayton Goodman, III
Chair	County Administrator